

### **Reasons for Allowance**

1. An after-final amendment was received from the applicant on June 3, 2008.
2. Claims 1-26, 28, 29, 41, 42 and 46-55 have been canceled.
3. Claims 27, 30-40 and 43-45 are allowed.
4. The following is an examiner's statement of reasons for allowance. The method for operating a rail-borne vehicle in a tunnel as claimed is not shown or suggested by the prior art because of the use of a method that is comprised of the step of directing air displaced by said vehicle through said vehicle and back into said tunnel behind said vehicle, where conduction of said air through said vehicle is assisted by means of a turbine located within said vehicle, and where said vehicle is surrounded by said tunnel in order that a substantial portion of said air is not directed between said vehicle and said tunnel while said vehicle is traveling through said tunnel. The prior art also does not show or suggest the use of a track system for a rail-borne vehicle that is comprised of a tunnel with an interior wall that closely surrounds a vehicle in order that a substantial portion of air within said tunnel is not directed between said vehicle and said tunnel while said vehicle is traveling through said tunnel, and at least one channel that is located outside of said tunnel and connected to said tunnel by at least one opening, where air displaced by said vehicle is directed through said opening and into said channel, and where a turbine for assisting the conduction of air is disposed either within said vehicle or within said tunnel.

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5. The prior art as disclosed by Allan (GB 1,104,746) discloses a track system for a rail vehicle that includes a tunnel with guide rails and a vehicle having a turbine and a passage that is configured to direct air back into said tunnel along the sides of said vehicle, where said tunnel does not conform to the sides of said vehicle. Edwards (US 3,404,638) discloses a track system for a rail vehicle that includes a tunnel with guide rails, a channel located outside of said tunnel and connected to said tunnel by a plurality of openings, and a turbine located in said channel, not said tunnel, to assist with the conduction of air from said tunnel through said channel. Jackson et al. (US 5,460,098) discloses an air-cushion vehicle for traveling through a tubular guideway, said vehicle including a turbine disposed within said vehicle, and a passage for directing air through said vehicle and back into said guideway behind said vehicle, where said vehicle is suspended above a wall of said guideway by a cushion of air that is generated by means of a blower, and thus does not utilize a track system.

### ***Conclusion***

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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7. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

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June 9, 2008

/Lars A Olson/

Primary Examiner, Art Unit 3617